

JUNE 18, 2019



ORCHARD VIEW

PLANNED UNIT DEVELOPMENT



DEVELOPER
ARBOR HOMES

9225 Harrison Park Court Indianapolis, IN 46216

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Statement of Intent:

Arbor Homes is pleased to present the Orchard View residential community, its newest Westfield mixed-residential project. This community will offer approximately 271 new homes on 103+/- acres located between Spring Mill Road and Casey Road, one quarter mile north of State Road 32.

Orchard View will feature the following:

- 199 single-family detached homes with sales prices ranging from the low to mid 200's.
 - Illustrative elevations have been provided in Exhibit D of the proposed PUD ordinance.
- 72 Empty Nest homes with sales prices ranging from the low to mid 200's.
 - Illustrative elevations have been provided in Exhibit D of the proposed PUD ordinance.
- Approximately 26 acres will be dedicated to common areas, lakes, active recreation spaces for families and passive recreation areas with an emphasis on preservation of environmentally sensitive wetlands.
- Enhanced landscape buffers along Spring Mill Road and Casey Road.
- Additional landscape buffers along the south, north and west boundaries consisting primarily of the preservation of mature and healthy existing vegetation.

Orchard View proposes to address the high quality “life span” housing sought in the Westfield-Washington Township Comprehensive Plan (page 9), by targeting the first-time home buyer and active adult markets. The single-family detached homes featured in Area A have been successfully developed for over 25 years and most recently in Parks At Wynne Farms in Avon, Newbury in Brownsburg and Sagebrook in McCordsville. The empty nest homes featured in Area B represent a new product line that has been developed over several years of market research in an effort to identify the needs and wants of the empty nest buyer segment.

ORDINANCE NUMBER 18-##

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE

This is a Planned Unit Development District Ordinance (to be known as the “**Orchard View PUD District**”) to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Unified Development Ordinance"), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended.

WHEREAS, the City of Westfield, Indiana (the "City") and the Township of Washington, both of Hamilton County, Indiana are subject to the Unified Development Ordinance;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Plan Commission") considered a petition (**Petition No. 18##-PUD-##**), requesting an amendment to the Unified Development Ordinance and to the Zoning Map with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

WHEREAS, the Commission forwarded **Petition No. 18##-PUD-##** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (##) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on _____, 2018;

WHEREAS, the Common Council is subject to the provisions of the Indiana Code §36- 7-4-1507 and Indiana Code § 36-7-4-1512 concerning any action on this request; and

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Unified Development Ordinance and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

1. The Unified Development Ordinance (the “UDO”) and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the "**Orchard View PUD District**" (the “District”).
2. Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, and (ii) the provisions of the Unified Development Ordinance, as amended and applicable to the Underlying Zoning District (as defined herein) or Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.
3. The underlying Zoning District shall be Single Family Residential District 4 (SF4) (the “Underlying Zoning District”). Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Zoning Ordinance applicable to the Underlying Zoning District shall apply.
4. Chapter (“Chapter”) and Article (“Article”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.
5. All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. Definitions. Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Unified Development Ordinance.

Section 3. Concept Development Plan. The Concept Plan, attached hereto as **Exhibit B**, is hereby incorporated in accordance with Article 10.9(F)(2) Planned Unit Development Districts; PUD District Ordinance Requirements; Concept Plan. The Real Estate shall be developed in substantial compliance with the Concept Plan.

Section 4. Underlying Zoning District(s). The Underlying Zoning District is this District shall be the SF4 District (the “Underlying Zoning District”).

Section 5. Permitted Uses. The permitted uses, as defined by the Town of Westfield Unified Development Ordinances, for the Real Estate are described below, all uses not listed below, shall be considered prohibited.

1. Single-Family Dwellings
2. All accessory uses and temporary uses in the Underlying Zoning District shall be permitted unless otherwise prohibited in this Ordinance.

Section 6. General Regulations. The standards of Chapter 4: Zoning Districts in the Unified Development Ordinance shall apply to the development of the Real Estate, except as otherwise modified or enhanced by this Ordinance.

Orchard View “Area A” Standards. The purpose of this section is to provide detached single-family homes with an average lot size of approximately 9,000 Square Feet. The number of individual residential platted Lots shall not exceed 199, which represents an overall density of approximately 2.5 units per acre.

1. Minimum Lot size: The minimum Lot size shall be 7,200 square feet.
2. Lot Widths: All Lots in the District will have a minimum width of sixty (60) feet measured at a point twenty-five (25) feet from the Street Right-Of-Way.
3. Minimum Lot Frontage: The minimum Lot Frontage shall be thirty (30) feet measured between Side Lot Lines at the Street Right-Of-Way.
4. Front Yard Set Back: The minimum front yard setbacks shall be as follows and measured from the Street Right-Of-Way. The varying front yard setbacks below shall count for one (1) point toward Article 6.3 Architectural Standards, Street Diversity.

Two Car Garage:	Twenty-five (25) Feet
Three Car Garage:	Twenty (20) Feet

5. Side Yard Set Back: The minimum side yard setbacks for all Lots will be five (5) feet with an aggregate minimum distance between Dwellings of fifteen (15) feet.
6. Rear Yard Set Back: The minimum rear yard setbacks shall be fifteen (15) feet from the Rear Lot Line.
7. Minimum Square Footage: Except as provided for below, all Dwellings in the District will be subject to the following minimum finished living space requirements. Dwellings with Multiple stories shall have a ground floor area of 900 square feet:

Single-Story Dwellings	1300 square feet
Multi-Story Dwellings	1600 square feet

Orchard View “Area B” Standards. The purpose of this section is to provide detached single-family homes that target 55+ homeowners with an average lot size of approximately 9,700 Square Feet. The number of individual residential platted Lots shall not exceed 75, which represents an overall density of approximately 2.7 units per acre.

1. Minimum Lot size: The minimum Lot size shall be 7,800 square feet.
2. Lot Widths: All Lots in the District will have a minimum width of sixty (60) feet measured at a point twenty-five (25) feet from the Street Right-Of-Way.
3. Minimum Lot Frontage: The minimum Lot Frontage shall be thirty (30) feet measured between Side Lot Lines at the Street Right-Of-Way.

4. **Front Yard Set Back:** The minimum front yard setbacks shall be as follows and measured from the Street Right-Of-Way. The varying front yard setbacks below shall count for one (1) point toward Article 6.3 Architectural Standards, Street Diversity.

Two Car Garage:	Twenty-five (25) Feet
Three Car or Tandem Garages:	Twenty (20) Feet

5. **Side Yard Set Back:** The minimum side yard setbacks for all Lots will be five (5) feet with an aggregate minimum distance between Dwellings of ten (10) feet.
6. **Rear Yard Set Back:** The minimum rear yard setbacks shall be fifteen (15) feet from the Rear Lot Line.
7. **Minimum Square Footage:** Except as provided for below, all Dwellings in the District will be subject to the following minimum finished living space requirements. Dwellings with Multiple stories shall have a ground floor area of 900 square feet:

Single-Story Dwellings	1400 square feet
Multi-Story Dwellings	1600 square feet

Section 7. Development Standards. The standards of Chapter 6: Development Standards in the Unified Development Ordinance shall apply to the development of the Real Estate, except as otherwise modified or enhanced by this Ordinance. Unless otherwise specified the standards shall apply to both “Area A” and “Area B”.

7.1 Section 6. Accessory Uses and Building Standards. Shall apply, except as otherwise modified or enhanced by this ordinance.

1. **Prohibited Structures:** No other detached outbuildings or above ground pools shall be permitted in the District.

7.2 Section 6. Architectural Standards. Shall Apply, except as otherwise modified or enhanced by this ordinance.

1. **Perimeter Lots:** In addition to those standards outlined within Section 7 of this Ordinance, all Dwellings indicated in the **Exhibit B. Concept Development Plan** by the (*) or (o) shall meet the following perimeter lot standards. The below standards shall satisfy the perimeter standards for the side and rear elevations.
 - i. **Side Elevations:** Those Lots indicated with a (*) shall require a minimum of three (3) different finish façade materials from the list below for each side and/or rear elevation. A brick or stone wainscot is required as one of the finished façade materials. This requirement excludes when dwellings with a hip roof whereas the requirement shall be two (2) different finish façade materials. Should a full first floor brick wrap is selected, said brick shall satisfy the intent of this requirement. **Finished Façade Materials:** Brick, Stone, Horizontal Siding, Bat and Board Siding, Tudor Style Siding and Cedar Shake Siding.
 - ii. **Rear Elevations:** Those Lots indicated with (o) shall require one of the following a sunroom, screened-in porch, covered patio or covered porch, or a four (4') foot deep offset on the rear. The windows on said rear elevation shall have shutters and window

grids.

2. Front Elevation Masonry: All homes shall have masonry on at least 50% of the front elevation (excluding windows, doors, garage doors, and areas above roof line). When the elevation includes a front porch, the home shall have a minimum masonry of at least 30%.
3. Roof Pitch: All Dwellings in the District shall feature a minimum of a 6:12 primary roof pitch. Ancillary roofs (including but not limited to porches, garage extensions, overhangs, sunrooms, and third car garages with separate roof structures) shall not be considered primary roof for the purposes of the 6:12 pitch requirement above.
4. Lighting: All Dwellings in the District shall have dusk-to-dawn carriage lights.
5. Shingles: All Dwellings shall have dimensional or architectural grade shingles with a 30 year warranty.
6. Windows: All Dwellings shall have shutters and window grids on the Front Facade windows of the Dwelling, excluding the Tudor elevations. All windows on all facades of the Dwelling shall have trim with a nominal thickness of 1"x4".
7. Siding: The primary building material for all facades shall be masonry, wood, cement fiber board, stucco, shakes, board and batten, vinyl lap siding (minimum thickness of 0.044") Colors of all exterior materials shall be chosen by the builder; however, such colors shall be in good taste and in accordance to the home style and current trends.
8. Garages: All Dwellings in the District shall have a minimum two-car garage. Three car garages shall have a separate door and shall not be required to be recessed from the other bays. The total two-car garage door width may not exceed 45% of the linear footage of the primary elevation of the home.
9. Anti-Monotony: The same Dwelling Elevation will not be constructed on an adjacent Lot or directly across the Street so far as to ensure that significant architectural features will differentiate Dwellings within the District. The above Anti-Monotony standard shall count for one (1) point toward Article 6.3 Architectural Standards, Street Diversity.
10. Floor Plans and Elevations: Character exhibits, attached hereto as **Exhibit D. Elevations**, are incorporated as a compilation of images designed to capture the intended quality of structures to be constructed in the District. Although the exhibits do not necessarily represent final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of structures that are required to be constructed and that contribute to the District's intent and vision. It is not the intent to limit the architectural styles shown in **Exhibit C**, but to encourage diversity in architectural styles of Dwellings within the District.

7.3 Fence Standards. Shall apply, except as otherwise modified or enhanced by this ordinance.

1. Fence and Wall Standards: No fences or walls shall be allowed in any drainage and/or utility easements on Lots.

7.4 Height Standards. Shall apply, except as otherwise modified or enhanced by this ordinance.

1. Dwelling Height. Primary Structures shall not exceed thirty-five (35) feet in height at the primary roof line.

7.5 Landscape Standards. Shall apply, except as otherwise modified or enhanced by this ordinance.

1. Landscaping: All Dwellings in the District shall include at least one (1) front yard ornamental or evergreen tree, one (1) front yard shade tree, with corner lots to include an additional one (1) shade tree in the street side yard. Rear yards shall have one (1) deciduous tree planted in the rear yard, with all trees being a minimum two (2) inch caliper, or six (6) feet in height for evergreen trees at time of planting. All Dwellings in the District shall include a minimum of eight (8) shrubs or bushes in the front foundation planting bed_ and all shrubs or bushes shall be a minimum of eighteen (18) inches in height at the time of planting.
2. Sod and Seedings: All dwelling shall have sod installed for the primary front yard. Dwellings built on Corner Lots shall have sod installed on all sides having Street frontage.

Section 8. Infrastructure Standards. The District's infrastructure shall comply with the Unified Development Ordinance and the City's Construction Standards (see Chapter 7 Subdivision Regulations), unless otherwise approved by the Plan Commission or Department of Public Works in consideration to the preservation of the natural topography and environment and in consideration to the unique design intent of the District.

1. Street Width: All Streets within the District shall be designed with a Right-Of-Way of fifty (50) feet with a minimum Street width of thirty-one (31) feet from back of curb to back of curb, with the exception of the frontage road. There shall be a four and a half (4.5) feet wide planting strip from back of curb to front edge of sidewalk.
2. Street Signage: The developer will be responsible for the cost of and the placement of all street signage as required by the Town.
3. On-Street Parking: On street parking shall be limited to one side of the street. No parking signs shall be installed to indicate which side of the street is prohibited.
4. Utilities: All utilities within the District will be trenched and located behind the curb. This commitment is subject to the approval by the utilities that will serve the community. Private utilities shall be placed in the utility easements and shall not be within the public Right-Of-Way.
5. Tree Preservation Easement: A Tree Preservation Easement (T.P.E.) shall be located along certain areas of the perimeter of the development for the purpose of maintaining the existing healthy, non- evasive trees and shrubs. Said easement is designed to provide a natural barrier surround the development from existing homes and property.

6. Common Area Landscaping: The Common Area(s) abutting Spring Mill Road shall contain undulating mounds to include trees and shrubs as depicted in **Exhibit C. Landscape Plan**. The Common Area(s) abutting Casey Road shall contain landscaping in accordance with Article 6.3 Architectural Standards C. Single Family District – Residential Uses 1. Perimeter Lots B. ii. Qualifying Characteristics (d.).
7. Street Trees: One (1) Canopy street tree shall be planted on an average of forty-five (45) feet of road frontage with a minimum of one (1) street tree per lot. Linear road frontage shall be calculated to figure exact number of trees to be planted. Street trees shall be located in the planting strip between the street and the sidewalk.
8. Mailboxes: Dwellings in the District shall have individual mailboxes to be installed by the developer for each Dwelling. Mailboxes will be installed along one side of the street in accordance with the local United States Postal Service (USPS).
9. Prohibited Structures: No other detached outbuildings or above ground pools shall be permitted in the District.

Section 9. Design Standards. The standards of Chapter 8 Design Standards shall apply to the development of the District, except as otherwise modified below.

Section 10. Subdivision of Land. The standards of Section 25: Subdivision Control Regulations in the Subdivision and Development Ordinance shall apply to the development of the Real Estate, except as otherwise modified or enhanced by this Ordinance.

PASSED AND ADOPTED THIS _____ day of _____, 20____.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Mark Keen

Mark Keen

Mark Keen

Robert Horkay

Robert Horkay

Robert Horkay

Jim Ake

Jim Ake

Jim Ake

Chuck Lehman

Chuck Lehman

Chuck Lehman

Steve Hoover

Steve Hoover

Steve Hoover

Joe Edwards

Joe Edwards

Joe Edwards

Cindy Spoljaric

Cindy Spoljaric

Cindy Spoljaric

ATTEST:

Cindy Gossard, Clerk-Treasurer

EXHIBIT A

Legal Description

Part of the North Half of the Southeast Quarter of Section 34, Township 19 North, Range 3 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the northeast corner of said Southeast Quarter; thence South 00 degrees 03 minutes 18 seconds West 600.00 feet along the east line of said Southeast Quarter (assumed basis of bearings) to the northeast corner of the parcel conveyed to Newnam in Instrument Number 9321819, on file in the Office of the Recorder of Hamilton County, Indiana, the following three (3) courses are along the north, west and south lines of said Newnam parcel; 1)thence South 89 degrees 28 minutes 19 seconds West 440.00 feet; 2)thence South 00 degrees 03 minutes 18 seconds West 300.00 feet; 3)thence North 89 degrees 28 minutes 19 seconds East 440.00 feet to the east line of said Southeast Quarter; thence South 00 degrees 03 minutes 18 seconds West 424.51 feet along said east line to the southeast corner of said North Half; thence South 89 degrees 29 minutes 57 seconds West 2,648.13 feet along the south line of said North Half to the southwest corner thereof; thence North 00 degrees 04 minutes 45 seconds East 1,323.24 feet along the west line of said Southeast Quarter to the northwest corner thereof; thence North 89 degrees 28 minutes 18 seconds East 2,647.59 feet along the north line of said Southeast Quarter to the POINT OF BEGINNING. Containing 77.439 acres, more or less.

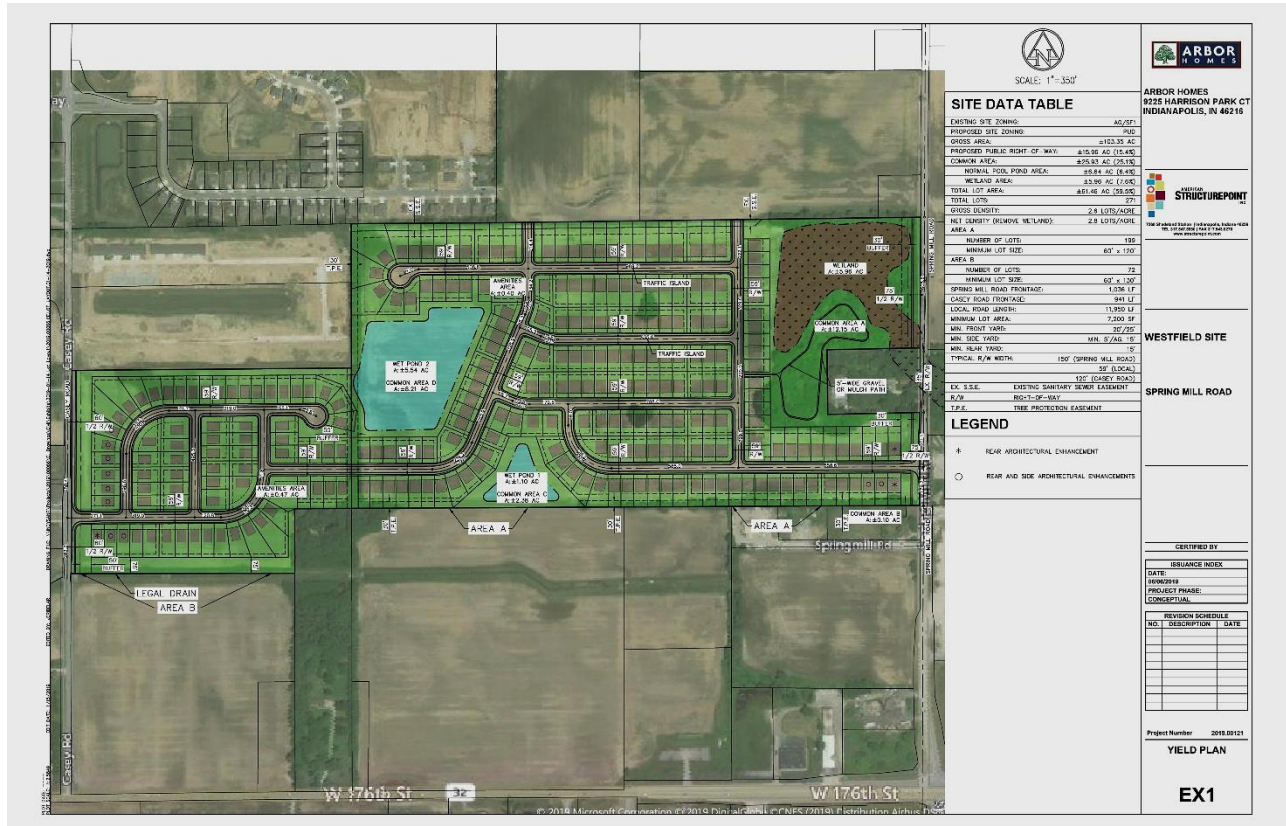
ALSO:

Part of the East Half of the Southwest Quarter of Section 34, Township 19 North, Range 3 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

Commencing at the northeast corner of said Southwest Quarter; thence South 00 degrees 04 minutes 45 seconds West 658.76 feet along the east line of said Southwest Quarter to the northeast corner of Parcel 11 as described in Instrument Number 200400046558, on file in the Office of the Recorder of Hamilton County, Indiana, being the POINT OF BEGINNING; thence continue South 00 degrees 04 minutes 45 seconds West 664.48 feet along said east line to the north line of the Southeast Quarter of said Southwest Quarter; thence South 89 degrees 23 minutes 49 seconds West 263.39 feet along said north line to the northwest corner of Tract 3 as described in Instrument Number 2013072718, on file in the Office of said Recorder; thence South 00 degrees 04 minutes 45 seconds West 294.41 feet along the west line of said Tract 3 to the northeast corner of the 4.098-acre parcel described in Instrument Number 2017039491, on file in the Office of said Recorder; thence South 89 degrees 28 minutes 04 seconds West 267.00 feet along the north line of said 4.098-acre parcel to its northwest corner and the northeast corner of the 18.738-acre parcel described in Instrument Number 2018022658, on file the Office of said Recorder; thence South 89 degrees 39 minutes 07 seconds West 792.62 feet along the north line of said 18.738-acre parcel to the west line of the East Half of said Southwest Quarter; thence North 00 degrees 04 minutes 58 seconds East 953.39 feet along said west line to the northwest corner of said Parcel 11; thence North 89 degrees 19 minutes 33 seconds East 1,323.01 feet along said north line to the POINT OF BEGINNING. Containing 27.270 acres, more or less.

Exhibit B

Concept Plan



Landscape Plan

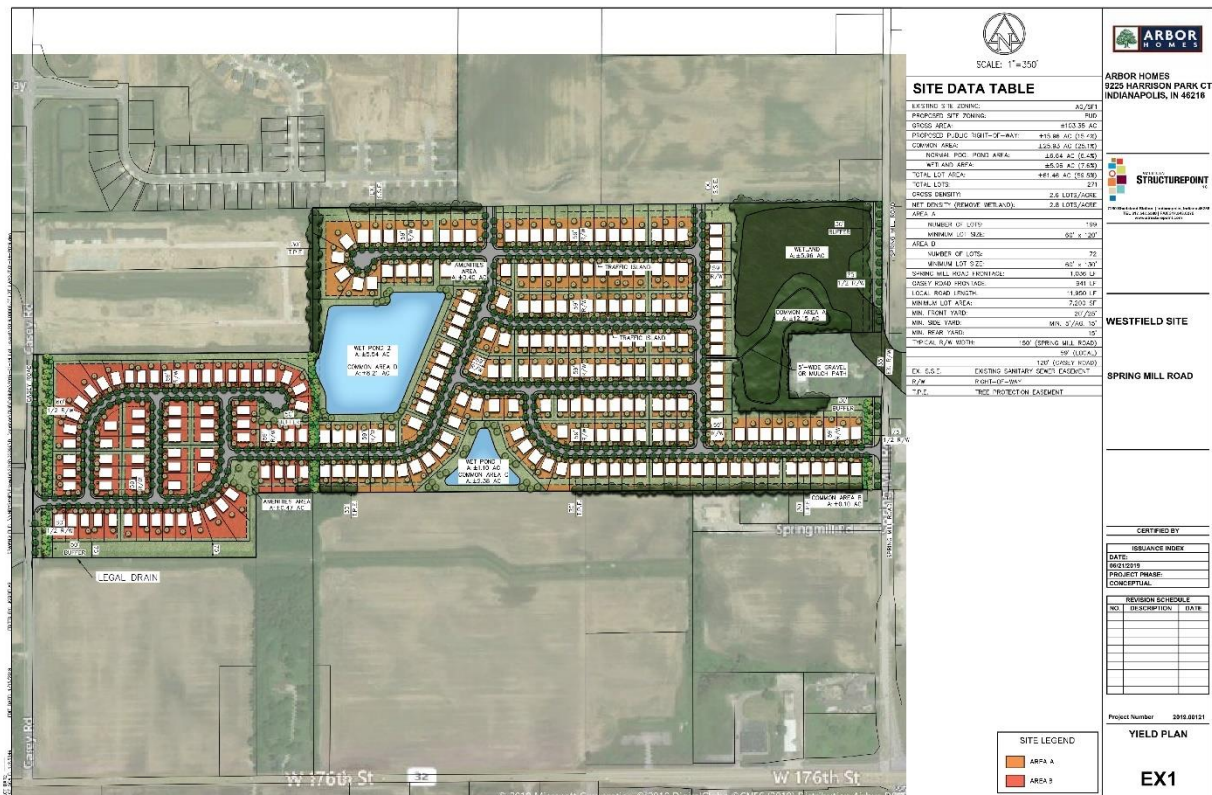


EXHIBIT D

Character Exhibits





ARBOR
H O M E S

THE ASHTON



Ashton P: shown with optional brick & shutters



Ashton A
shown with optional shutters



Ashton B
shown with optional shutters & brick



ARBOR
H O M E S

THE ASPEN



Aspen B: shown with optional brick & shutters



Aspen A
shown with optional
front porch, railing
& brick



Aspen
Traditional
available in select
communities



Aspen
Craftsman
available in select
communities



Aspen
Tudor
available in select
communities



ARBOR
H O M E S

THE BRADFORD



Bradford A: shown with optional brick & shutters



Bradford B
shown with optional
brick & shutters



Bradford
Traditional
available in select
communities



Bradford
Craftsman
available in select
communities



Bradford
Tudor
available in select
communities



ARBOR
H O M E S

THE CHESTNUT



Chestnut A
shown with optional brick & shutters



Chestnut Craftsman
available in select communities



Chestnut B
shown with optional brick & shutters



Chestnut Traditional
available in select communities



Chestnut C
shown with optional brick & shutters



Chestnut Tudor
available in select communities



ARBOR
H O M E S

THE COOPER



Cooper B: shown with optional brick & shutters



Cooper A
shown with optional
brick



Cooper
Traditional
available in select
communities



Cooper
Craftsman
available in select
communities



Cooper
Tudor
available in select
communities



ARBOR
H O M E S

THE COTTONWOOD



Cottonwood A: shown with optional brick & shutters



Cottonwood B
shown with optional
brick



Cottonwood
Traditional
available in select
communities



Cottonwood
Craftsman
available in select
communities



Cottonwood
Tudor
available in select
communities



ARBOR HOMES

THE EMPRESS



Empress A
shown with optional brick & shutters



Empress Craftsman
available in select communities



Empress B
shown with optional brick & shutters



Empress Traditional
available in select communities



Empress C
shown with optional brick & shutters



Empress Tudor
available in select communities



ARBOR HOMES

THE LINDEN



Linden A
shown with optional brick & shutters



Linden Craftsman
available in select communities



Linden B



Linden Craftsman
available in select communities



Linden C
shown with optional brick & shutters



Linden Craftsman
available in select communities



ARBOR
H O M E S

THE MAGNOLIA



Magnolia C: shown with optional brick, shutters & porch railing



Magnolia A
shown with optional shutters



Magnolia B
shown with optional shutters & brick



ARBOR HOMES

THE MULBERRY



Mulberry A
shown with optional brick



Mulberry Craftsman
available in select communities



Mulberry B
shown with optional brick



Mulberry Traditional
available in select communities



Mulberry C
shown with optional brick, shake siding & shutters



Mulberry Tudor
available in select communities



ARBOR HOMES

THE NORWAY



Norway A
shown with optional brick & shutters



Norway Craftsman
available in select communities



Norway B
shown with optional brick & shutters



Norway Traditional
available in select communities



Norway C
shown with optional brick & shutters



Norway Tudor
available in select communities



ARBOR
H O M E S

THE SPRUCE



Spruce A: shown with optional brick & shutters



Spruce B
shown with optional
brick & shutters



Spruce
Traditional
available in select
communities



Spruce
Craftsman
available in select
communities



Spruce
Tudor
available in select
communities